

UNITED STATES DISTRICT COURT  
EASTERN DISTRICT OF NEW YORK

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ACORN (THE NEW YORK ASSOCIATION OF	:
COMMUNITY ORGANIZATIONS FOR REFORM NOW),	:
NEW YORK ACORN HOUSING COMPANY, INC., VIC	:
DEVITA, VERNON GHULKIE, NATALIE GUERRIDO,	:
LISBETT HUNTER AND FRANCINE MCCRAY,	:
	:
Plaintiffs,	:
	:
v.	: Case No. 05-CV-2301 (JFB) (WDW)
	:
COUNTY OF NASSAU, INCORPORATED VILLAGE OF	:
GARDEN CITY, AND GARDEN CITY BOARD OF	:
TRUSTEES,	:
	:
Defendants.	:
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**REPORT OF PARTIES' DISCOVERY PLANNING CONFERENCE**  
**PURSUANT TO RULE 26(F)**

On August 11, 2006, as required pursuant to Rule 26(f) of the Federal Rules of Civil Procedure, counsel for the parties to the above-captioned action conferred by telephone. Jenny Rubin Robertson and Kim F. Bridges of Hogan & Hartson L.L.P. participated on behalf of plaintiffs Vic Devita, Vernon Ghullkie, Natalie Guerrido, Lisbett Hunter, and Francine McCray ("the Individual Plaintiffs"). Fred Brewington participated on behalf of The New York Association of Community Organizations for Reform Now, New York ACORN Housing Company, Inc., and the Individual Plaintiffs. James G. Ryan and Jennifer McLaughlin of Cullen & Dykman participated on behalf of defendants the Incorporated Village of Garden City and the Garden City Board of Trustees ("The Village Defendants"). Andrew R. Scott of the Office of the County Attorney participated on behalf of the County of Nassau ("The County").

**PROPOSED DISCOVERY PLAN**

The parties agreed to alter the limits on discovery in the Federal Rules of Civil Procedure and the Local Rules of the Eastern District of New York (the "Local Rules") in the following respects:

1. Each side shall be entitled to 15 depositions of fact witnesses, without prejudice to the parties' rights. In addition, each party shall be entitled to depose any experts designated by the opposing parties.

In all other respects, the parties agree to conduct discovery in accordance with the limitations on discovery imposed under the Federal Rules of Civil Procedure and the Local Rules.

With regard to timing for discovery, the parties agree to and propose the following schedule:

1. Plaintiffs and The Village Defendants agreed that their Rule 26(a)(1) disclosures would be served no later than **August 25, 2006**. The County agreed that its Rule 26(a)(1) disclosures would be served no later than **September 1, 2006**.

2. The last date for the parties to amend the pleadings, including joinder of additional parties, shall be **October 31, 2006**.

3. All fact discovery must be concluded by **January 31, 2007**.

4. Expert discovery shall be conducted as follows:

Plaintiffs shall identify and serve the reports of any and all experts that they expect to present at trial on or before **February 28, 2007**.

Defendants shall identify and serve the reports of any and all experts that they expect to present at trial on or before **March 30, 2007**.

Expert depositions must be taken on or before **April 30, 2007**.

All expert discovery must be concluded by **April 30, 2007**.

5. Any party wishing to file a dispositive motion shall seek a pre-motion conference to discuss its request on or before **May 31, 2007**.

6. The parties agree that they shall be ready for trial on or before **September 18, 2007**.

The parties have agreed to enter into a confidentiality agreement in a form to be negotiated between the parties.

The Plaintiffs and The County have engaged in settlement discussions, during which they discussed the possible framework for settlement. Global discussions between all the parties have not taken place at this time.

Dated: August 25, 2006

By:           /S/            
Paul B. Sweeney (PS 5254)  
Jenny Rubin Robertson (JR 5916)  
Kim F. Bridges (KB 1306)

HOGAN & HARTSON L.L.P.  
875 Third Avenue  
New York, New York 10022  
(212) 918-3000

*Attorneys for the Individual Plaintiffs*

-and-

Frederick K. Brewington (FB 5295)  
Law Offices of Frederick K. Brewington  
50 Clinton Street – Suite 501  
Hempstead, NY 11550  
(516) 489-6959

Jonathan P. Hooks  
Lawyers' Committee for Civil Rights  
Under Law  
1401 New York Avenue, N.W.  
Suite 5000  
Washington, DC 20005  
(202) 662-8326

*Attorneys for Plaintiffs New York Association  
of Community Organizations for Reform Now,  
New York ACORN Housing Company, Inc. and  
the Individual Plaintiffs*

By:           /S/            
James G. Ryan (JR 9446)

CULLEN & DYKMAN LLP  
100 Quentin Roosevelt Boulevard  
Garden City, NY 11530  
(516) 357-3700

*Attorney for Defendants Incorporated Village  
of Garden City and Garden City Board of  
Trustees*

By:           /S/            
Andrew R. Scott (AS 7633)

Office of the Nassau County Attorney  
1 West Street  
Mineola, NY 11501  
(516) 571-3056

*Attorney for Defendant County of Nassau*